

Connell Foley LLP
875 Third Avenue
21st Floor
New York, NY 10022
P 212.307.3700 F 212.542.3790

Erin N. Pietkewicz
Associate
212-307-3720
EPIETKEWICZ@CONNELLFOLEY.COM

January 30, 2024

VIA ECF

Judge Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 01/30/2024

MEMO ENDORSED

Re: Diahann Hernandez v. Target Corporation
Case No.: 22 CV 4108

Dear Judge Parker:

We are the attorneys for Target Corporation (“Target”) in the referenced matter.
We are writing jointly with Plaintiff to respectfully request an adjournment of the settlement conference which is currently scheduled for February 7, 2024 as there are outstanding discovery matters which need to be addressed prior to this conference.

Plaintiff underwent surgery to implant a spinal stimulator on December 27, 2023. Target was made aware of this development last week. Plaintiff’s counsel provided updated authorizations, however, we still do not have the records from this surgery. Plaintiff’s counsel also indicated that as a result of the surgery, their demand increased from \$250,000 to \$750,000.

Given this new development, Target will need time to consult our experts, conduct an additional independent medical exam and potentially seek to depose Plaintiff again. All of which is necessary for Target to properly evaluate the settlement value of this case.

In light of the foregoing, the parties respectfully seek an adjournment of the settlement conference for sixty (60) days to prepare the case for meaningful settlement negotiations.

Your Honor’s consideration of this matter is greatly appreciated.

Respectfully,

Erin N. Pietkewicz

January 30, 2024
Page 2

cc: **VIA ECF**

Joseph Sorce, Esq.
BRAGOLI & ASSOCIATES, P.C.
Attorneys for Plaintiff
DIAHANN HERNANDEZ
300 Broadhollow Road, Suite 100W
Melville, NY 11747
(631) 423-1174

APPLICATION GRANTED: The settlement conference in this matter scheduled for Wednesday, February 7, 2024 at 2:00 p.m. in Courtroom 17-D, United States Courthouse, 500 Pearl Street, New York, New York is hereby rescheduled to Wednesday, April 10, 2024 at 10:00 a.m. Parties must attend in-person with their counsel. Corporate parties must send the person with decision making authority to settle the matter to the conference. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with the Judge Parker's Individual Rules of Practice. Pre-conference submissions must be received by the Court no later than April 3, 2024 by 5:00 p.m.

APPLICATION GRANTED



Hon. Katharine H. Parker, U.S.M.J.

01/30/2024